



**U.S. Department of Justice**

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September 17, 2021

Hon. Mark W. Pedersen  
United States Magistrate Judge  
100 State Street  
Rochester, NY 14614

Re: ***United States v. John Looney***  
**19-mj-0647**

Dear Judge Pedersen:

I am writing on behalf of myself and the defendant to jointly request a two-week adjournment of the preliminary hearing scheduled for September 27, 2021. Since the parties' last appearance, the government has provided the defendant with additional forensic evidence and the defendant's expert has had an opportunity to review that evidence. The government has also offered the defendant a plea that is substantially more favorable than any plea offer would likely be post-indictment. However, defense counsel has represented to me that he has been unable to discuss this evidence and the plea offer with the defendant because the defendant has been experiencing serious medical issues. As such, the parties are respectfully requesting a two-week adjournment of the preliminary hearing so that defense counsel has a little more time to discuss the current plea offer with the defendant pre-indictment.

For the same reasons, the parties jointly request that the time between today and the rescheduled preliminary hearing date be excluded under 18 U.S.C. § 3161(h)(7), specially because it affords the defendant an opportunity to discuss with his attorney a pre-indictment plea offer that will be more favorable to him than any post-indictment plea offer.

Thank you in advance for your consideration of this matter. Please feel free to contact me with any questions or concerns regarding this matter.

Respectfully Submitted,

JAMES P. KENNEDY, JR.  
United States Attorney

By: *s/ Meghan K. McGuire*  
MEGHAN K. MCGUIRE  
Assistant U.S. Attorney